

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of:

Koulchin, V. A. *et al.*

Application No.: 09/518,165

Confirmation No.: 4746

Filed: March 1, 2000

Art Unit: 1645

Title: *Method for Detecting the Presence of Target
Bacteria or a Target Component Carbohydrate
Antigen Thereof*

Examiner: Hines, Jana A.

Mail Stop: Appeals
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Dear Sir/Madam:

Applicants assert that a continuation application is being filed in lieu of a response to the Notification of Non-Compliant Appeal Brief, mailed from the U.S. Patent and Trademark Office on December 11, 2006; however, the Commissioner is hereby authorized to charge the amount of \$2,160.00 for a five-month extension of time to our **Deposit Account 06-1448, Ref. No. ISA-100.01** in response to the Notification, and to credit any overpayment, or charge any further fees, to the same Deposit Account.

Respectfully submitted,
FOLEY HOAG LLP

Date: June 11, 2007

/Jennifer A. Zarutskie/

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